

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rule making related to aviation vertical infrastructure

The Department of Transportation hereby amends Chapter 700, “Aeronautics Administration,” Chapter 710, “Airport Improvement Program,” Chapter 715, “Air Service Development Program,” Chapter 716, “Commercial Service Vertical Infrastructure Program,” and Chapter 717, “General Aviation Vertical Infrastructure Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 307.12 and 328.12.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 8.57(5), 17A.3 and 328.12.

Purpose and Summary

The Department is correcting the spelling of “website” and the link to the Department’s website address in Chapters 700, 710, 715, 716, and 717. The Department is also amending Chapters 716 and 717 to correct citations to Iowa Code section 8.57(5) since this section was amended and renumbered. These corrections are included within the definition of “vertical infrastructure” in rules 761—716.2(328) and 761—717.2(328) and within both chapters’ implementation sentences.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on April 25, 2018, as **ARC 3755C**. No public comments or requests for oral presentations were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on June 12, 2018.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on August 8, 2018.

The following rule-making actions are adopted:

ITEM 1. Amend rule 761—700.2(17A) as follows:

761—700.2(17A) Information and forms. Program information, forms and application instructions are available on the department's ~~Web-site~~ website at ~~www.iowadot.gov/aviation~~ www.iowadot.gov. Requests for such materials or assistance may also be made by calling the office of aviation at (515)239-1048. Submission of application materials shall be made according to the annual application instructions included in the application materials. The office of aviation mailing address is: Office of Aviation, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

This rule is intended to implement Iowa Code section 17A.3.

ITEM 2. Amend rule 761—710.3(17A) as follows:

761—710.3(17A) Information and forms. Program information, forms and application instructions are available on the department's ~~Web-site~~ website at ~~www.iowadot.gov/aviation~~ www.iowadot.gov. Requests for such materials or assistance may also be made by calling the office of aviation at (515)239-1048. Submission of application materials shall be made according to the annual application instructions included in the application materials. The office of aviation mailing address is: Office of Aviation, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

This rule is intended to implement Iowa Code section 17A.3.

ITEM 3. Amend subrule 715.3(3) as follows:

715.3(3) Program information, instructions and application forms may be obtained from the department's ~~Web-site~~ website at ~~www.iowadot.gov/aviation~~ www.iowadot.gov. Requests for such materials or assistance may also be made by calling the office of aviation at (515)239-1689. Submission of application materials shall be made according to the annual application instructions included in the application materials. The office of aviation mailing address is: Office of Aviation, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

ITEM 4. Amend rule **761—716.2(328)**, definition of “Vertical infrastructure,” as follows:

“*Vertical infrastructure*” means the same as defined in Iowa Code section ~~8.57B~~ 8.57(5).

ITEM 5. Amend rule 761—716.3(328) as follows:

761—716.3(328) Information and forms. Program information, instructions, and forms are available on the department's ~~Web-site~~ website at ~~www.iowadot.gov/aviation~~ www.iowadot.gov. Requests for such materials or assistance may also be made by calling the office of aviation at (515)239-1048. Submission of application materials shall be made according to the annual application instructions included in the application materials. The office of aviation mailing address is: Office of Aviation, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

ITEM 6. Amend **761—Chapter 716**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections ~~8.57B~~ 8.57(5) and 328.12.

ITEM 7. Amend rule **761—717.2(328)**, definition of “Vertical infrastructure,” as follows:

“*Vertical infrastructure*” means the same as defined in Iowa Code section ~~8.57B~~ 8.57(5).

ITEM 8. Amend rule 761—717.3(328) as follows:

761—717.3(328) Information and forms. Program information, instructions, and application forms may be obtained from the department's ~~Web-site~~ website at ~~www.iowadot.gov/aviation~~ www.iowadot.gov. Requests for such materials or assistance may also be made by calling the office of aviation at (515)239-1048. Submission of application materials shall be made according to the annual

application instructions included in the application materials. The office of aviation mailing address is:
Office of Aviation, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

ITEM 9. Amend **761—Chapter 717**, implementation sentence, as follows:
These rules are intended to implement Iowa Code sections ~~8.57B~~ 8.57(5) and 328.12.

[Filed 6/12/18, effective 8/8/18]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/4/18.